



e2r Alert!

Pay Transparency Legislation in Canada

Pay transparency became the topic of much discussion when the province of Ontario tabled legislation in 2018. While this legislation never came into effect (still to this day) other provinces have enacted pay transparency laws and others are considering doing so.

Prince Edward Island

The Prince Edward Island *Employment Standards Act* was amended to include pay transparency requirements. The provision:

- Prohibits employers from seeking pay history information about an applicant by any means;
- Requires employers who publish a publicly advertised job posting to include in the posting information about the expected pay for the position or the range of expected pay for the position; and
- Prohibits employers from engaging in reprisal actions towards employees in relation to pay transparency.

Nova Scotia

The Equal Pay provision in the *Labour Standards Code* prohibits employers from inquiring into the wage history of prospective employee's unless certain conditions are met. The provision also requires that no employer prohibit an employee from discussing or disclosing information within the workplace about the employee's wages or the wages of another employee.

British Columbia

The *Pay Transparency Act* was introduced on March 7, 2023, and includes requirements around pay history, job postings, pay secrecy and reporting. Consultations on the *Pay Transparency Act* are underway.

Newfoundland and Labrador

While the *Pay Equity and Pay Transparency Act* received royal assent on November 9, 2022, the Act is yet to be proclaimed into force and consultations are underway. The Act includes provisions around job postings, pay history, pay secrecy and reporting.

As always, if you have any questions regarding your specific situation, please do not hesitate to reach out to speak with an e2r™ Advisor.

